

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,

Debtor.

Bankruptcy Case No. 13-53846

Honorable Thomas J. Tucker

Chapter 9

**REPLY IN SUPPORT OF DEBTOR'S  
THIRTY-SECOND OMNIBUS OBJECTION TO CERTAIN CLAIMS**

**(INSUFFICIENT DOCUMENTATION)**

The City of Detroit ("City"), by its undersigned counsel, files this reply in support of its *Thirty-Second Omnibus Objection to Certain Claims* ("Objection," Doc. No. 10788), stating as follows:

1. On February 26, 2016, the City filed its Objection. Only one individual filed a response to the Objection that needs to be considered at this time:<sup>1</sup>

- (a) Response filed by Debra Ann Martin [Doc. No. 10848] ("Martin Response"). Martin's proof of claim and his response to the Objection are attached as Exhibits 1 and 2.

**Martin Response**

2. The Martin Response should be overruled. The Objection stated that Martin's proof of claim lacked any documentation showing that the City owed her

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<sup>1</sup> Additional responses were filed, but all other responses were either stricken for filing deficiencies or will be handled via a separate procedure recently approved by the Court. [Doc. No. 10941.]

the \$15,000 she claims.<sup>2</sup> Her proof of claim merely states “Financial Loss” or possibly “Wage Loss” without explaining the source of this loss. Ex. 1. In response to the Objection, she writes “I Debra Martin had \$15,000.00 was taken [sic] away from me & I want to know will I ever receive any of my money. I work for the City of Detroit Water and Sewerage Department.” Ex. 2. Neither filing constitutes documentation evidencing any claim against the City at all, much less a claim in the amount of \$15,000. The Objection to this claim should be sustained.

### **CONCLUSION**

For these reasons, the City asks the Court to overrule the Martin Response and sustain the City’s Objection to this claim.

Dated: March 24, 2016

By: /s/ Marc N. Swanson  
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and

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<sup>2</sup> Indeed, Federal Rule of Bankruptcy Procedure 3001(c)(1) notes that a claim based on writings must be filed with the documentation supporting it.

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ATTORNEYS FOR THE CITY OF DETROIT



B10 (Official Form 10) (04/13) (Modified)

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT of MICHIGAN		CHAPTER 9 PROOF OF CLAIM
Name of Debtor: <b>City of Detroit, Michigan</b>	Case Number: <b>13-53846</b>	<b>FILED</b> <b>2014 FEB 15 A 10 15</b> <b>COURT USE ONLY</b> <input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ Filed on: _____
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): <b>Martin, Debra A</b>		<b>RECEIVED</b> <b>FEB 17 2014</b> <b>KURTZMAN CARSON CONSULTANTS</b>
Name and address where notices should be sent: NameID: 11533900 <b>Martin, Debra A</b> <b>9247 Ashton Ave</b> <b>Detroit, MI 48228-1805</b>		
Telephone number: _____ email: _____		
Name and address where payment should be sent (if different from above):		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
Telephone number: _____ email: _____		
1. Amount of Claim as of Date Case Filed: \$ <u>15,000.00</u>		
If all or part of the claim is secured, complete item 4. If all or part of the claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a		
2. Basis for Claim: <u>Financial Loss</u> (See instruction #2)		
3. Last four digits of any number by which creditor identifies debtor: <u>[REDACTED]</u>		3a. Debtor may have scheduled account as: <u>Wage Loss</u> (See instruction #3a)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____
Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____		Basis for perfection: _____
Value of Property: \$ _____		Amount of Secured Claim: \$ _____
Annual Interest Rate (when case was filed) _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable		Amount Unsecured: \$ _____
5. Amount of Claim Entitled to Priority as an Administrative Expense under 11 U.S.C. §§ 503(b)(9) and 507(a)(2). \$ _____		
5b. Amount of Claim Otherwise Entitled to Priority. Specify Applicable Section of 11 U.S.C. § _____ \$ _____		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		
7. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. (See instruction #7, and the definition of "redacted".) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:		
8. Signature: (See instruction # 8) Check the appropriate box. <input checked="" type="checkbox"/> I am the creditor. <input type="checkbox"/> I am the creditor's authorized agent. <input type="checkbox"/> I am the trustee, or the debtor, or their authorized agent. <input type="checkbox"/> I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3004.) (See Bankruptcy Rule 3005.) I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief. Print Name: <u>Debra A. Martin</u> Title: <u>Office Asst II</u> Company: <u>City of Detroit</u> Address and telephone number (if different from notice address above): <u>2 Woodward Ave</u> <u>313-909-4191</u> <u>48226</u> Telephone number: _____ email: _____		

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.



United States Bankruptcy Court **FILED (I)**  
Easter District Of Michigan 2016 MAR 18 P 1:21

In re Debra Martin  
Debtor

U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

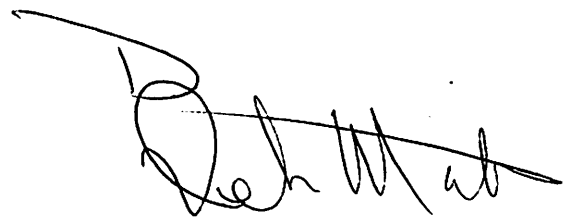
Case No. 13-53846

Chapter #9

I'm responding to A objection, 32<sup>nd</sup>  
#1016 my claim 3-18-16

To Whom It May Concern in my case  
13-5386

I Debra Martin had 15000.00  
was taken away from me & I want to know will  
I ever ~~receive~~ receive any of my money.  
I work for the City of Detroit Water and Sewerage  
Department



19163 Gable  
Det MI 48234

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN

IN RE:

CASE NO: 13-538-46  
CHAPTER: 9

City of Detroit Debtor.

FILED (1)  
2016 MAR 18 P 1:21  
U.S. BANKRUPTCY COURT  
E.D. MICHIGAN - DETROIT

CERTIFICATE OF SERVICE

I hereby certify that on 3-18-16 (date of mailing), I served

copies as follows:

1. Document(s) served:

response to objection 32nd

2. Served upon [name and address of each person served]:

City of Detroit  
Marce N. Swanson  
Miller, Confield, Paddock and Stone PLLC  
150 West Jefferson Suite 2500  
Detroit Michigan 48226

Charles N. Rain (2974)  
Deputy Deputy Corporation  
Counsel  
City of Detroit Law  
200 Woodward Ave  
Suite 500  
Coleman Young Municipal  
Detroit Mich 48226

3. By First Class Mail.

Dated: 3-18-16

[Signature]  
(Signature)

Print Name: Debra Markin